

VIA ECF

Chief Magistrate Judge Karen L. Stevenson
United States District Court Central District of California
Roybal Federal Building and Courthouse
255 E. Temple St., Los Angeles, CA, 90012
Courtroom 580, 5th Floor.

Re: Clinton Brown v Clark R. Taylor, AICP, The Los Angeles County Department of Regional Planning, 2:22-cv-09203-MEMF-KS, ECF Nos. 85, 90, 91.

Chief Magistrate Judge Karen L. Stevenson:

This Court issued an Order to Show Cause, ECF No. 102, on December 5, 2023, without considering ECF Nos. 85, 90, 91. *See* ECF No. 93. This oversight is ‘procedurally improper’ and therefore the Court is asked in the interest of a just, speedy, and inexpensive determination to clarify, if or when, discovery will be reopened; or if ECF No. 26 stands. All parties should presume that a Court Order is, just that, a Court Order. The Plaintiff has not contested the Magistrate Judge’s authority in this controversy. *See* ECF No. 96. The Magistrate Judge, however, does not have the Congressional authority to involuntarily dismiss this case, with or without prejudice. The Plaintiff has not and will not voluntarily dismiss this live case. *See* ECF No. 102 at 2. The Motion to Compel hangs without a ‘decision’ and will prejudice all the parties if it is not rendered prior to the MSJ. Talk about the cart before the horse. *See* ECF No. 90 at 6-9; ECF Nos. 55, 66.

This Court has consented *for* the Plaintiff to take a ride on the ‘Assignment Wheel’ and thus all bets are off the table that a MTC will be, “grant[ed] only in exceptional circumstances and upon a showing of good cause.” *See* ECF No. 26 at 2, I. A. “All parties must comply with the rules...unless this Court expressly excuses compliance.” *Id* at 5, IV. This discretion can be written, implied, or vice versa. (i.e., the Court’s failure to call out the Government’s failure to file a Status Report, and at the same time, *threaten* sanctions against the Plaintiff. Late is better than never. *Id*.

The Government *must* specify what document(s) the Plaintiff *must* produce that would allow *any* structure on his property or the parties *must* have a trial date set. *See* Rule 40. This litigation isn’t going anywhere unless and until the Government is held to the *same* objective standard as the Plaintiff. The more cards put on the table, the worse it is for the Government. *See* ECF No. 106 at 2-6. In this Court, “what’s done is done” until it isn’t. *Supra*. The Government threatened the Plaintiff with liability stemming from the “manufactured” hills it authorized yet won’t let the Plaintiff correct such defect and instead demands the property without Just Compensation, as before Should the “manufactured” hills slide upon the 101, then let it be so, for Just Compensation is irrevocable and is due to thee. *Id*. in entirety.

Respectfully submitted,
/s/ Clinton Brown, Self-Represented
16821 Edgar Street,
Pacific Palisades, CA 90272
clinton@atlasinc.solar
310-487-6453

CC: All Counsel of Record (via ECF) on December 10, 2023

SCHEDULE

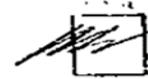
The release prices shall be in accordance with the following-

<u>Tentative</u> <u>Tract 33128</u>	<u>RELEASE PRICE</u>
Lot 1	\$3,104,504
2	1,086,690
3 (greenbelt)	0
<u>Tentative</u> <u>Tract 32952</u>	
Lot 1	\$1,644,456
2	1,960,662
3	2,276,934
4	4,346,892
5	413,952
6	3,803,514
7	2,676,564
8	1,914,660
9	1,034,946
10	1,172,952
11	1,466,190
12	1,172,952
13	1,707,684
14	1,241,922
15	1,172,952
16	1,517,934
17 (civic center site)	0

All such payments shall be applied upon the unpaid principal debt. Neither the acceptance of any such payments nor the issuance of such Requests for Partial Reconveyances shall affect the liability of Trustor or the lien of this Trust Deed upon the remainder of the property herein described for the full amount of the indebtedness remaining unpaid.

85 591033

(2 of 3 pages)



See Lot 3 Tract 33128 (greenbelt), \$0 Release Price; See also Lot 17 Tract 32952, \$0 Release Price. CC&F Lost Hills Props., Deed of Trust & Assignment of Rents (May 2, 1985), recorded L.A. County Recorder's Office, No. 85-590133 (May 24, 1985). Notably, the publicly recorded document corresponds with the Government's Exhibit 6 that they, "[were] forced to gather evidence in support of their Motion for Summary Judgment through additional time-consuming methods and searches." See ECF No. 82-12 at 2. Helicopter pads, *inter alia*, are strictly prohibited and the Grantor may inspect and enforce compliance with said restrictions during business hours. See ECF No. 82-7 at 7, 29, 31.





Clinton Brown <clinton@atlasinc.solar>

RE: Maintenance for Agoura Road Slopes - LMD Zone 32

Amir Ibrahim <AIBRAHIM@dpw.lacounty.gov>

Wed, Oct 19, 2022 at 1:49 PM

To: "clinton@atlasinc.solar" <clinton@atlasinc.solar>

Cc: Heidi Liu <HLiu@counsel.lacounty.gov>, David Sharkey <DSHARKEY@dpw.lacounty.gov>, Cindy Wong <CIWONG@dpw.lacounty.gov>, Dayna Rothman <DROTHMAN@dpw.lacounty.gov>, "Samantha (Sam) Miller" <SMiller@dpw.lacounty.gov>, Shillane Chen <SCHEN@dpw.lacounty.gov>, Edward Lee <ELEE@dpw.lacounty.gov>, Olivia Moreno <OLMORENO@dpw.lacounty.gov>, Alexandra Nguyen-Rivera <aInguyen@dpw.lacounty.gov>

Hi Clinton,

Thank you for meeting with us to discuss your properties (parcels 2064-005-011 and 2064-005-015) along Agoura Road. As promised, this is a follow up explaining the situation.

The Landscape Maintenance District (LMD) Zone 32 – Lost Hills Commercial was formed in 1989 to allow the County to maintain the developer-manufactured slopes along Agoura Road to prevent slope erosion and provide brush clearance. There are 5 assessed parcels in Landscape Maintenance District Zone 32, paying \$2,200 each year for maintenance for a total of \$11,000 budget for yearly maintenance. This has been the same assessment rate since the zone's formation in 1989, which has led us to present-day funding issues. Additionally, the developer never granted the County easements to access the slopes that need to be maintained, and they were required to dedicate. The County is proposing to options to overcome these challenges.

1. The County could detach the LMD zone and turn over maintenance to the parcel owners, which in this case would be the owner of the 2 parcels above as these are the only 2 parcels with maintained areas. The owner would assume liability for the maintenance of the slopes and appurtenant facilities, including the hydrant, along Agoura Road. Also this option would eliminate the \$2200 per parcel yearly assessment imposed on the tax bill.
2. In order to assume no liability, the owner could grant the County easements to the manufactured slopes (see green areas on figure below) so that the County can maintain them utilizing LA County Road Funds. The County can then pursue detachment of the LMD zone, ceasing assessments of \$2,200 per parcel per year, and legally maintain the slopes through the easements. The County would also put provisions that the easements that the easements could be quitclaimed back to the owner at no cost (since the easements would be granted to LA County at no cost) when and if the owner is going to subdivide the area and mitigate for the geotechnical hazards that currently exist.



After your team has a chance to review the information, please let us know when you would like to meet again on this topic. Let us know if you have any questions in the meantime.

Thank you,

Amir S. Ibrahim, P.E., L.S.

Principal Engineer

Los Angeles County Public Works

(626) 300-4713



Clinton Brown <clinton@atlasinc.solar>

RE: Maintenance for Agoura Road Slopes - LMD Zone 32

Amir Ibrahim <AIBRAHIM@dpw.lacounty.gov>

Mon, Oct 31, 2022 at 7:28 PM

To: "clinton@atlasinc.solar" <clinton@atlasinc.solar>

Cc: Heidi Liu <HLiu@counsel.lacounty.gov>, Shillane Chen <SCHEN@dpw.lacounty.gov>, David Sharkey <DSHARKEY@dpw.lacounty.gov>, "Samantha (Sam) Miller" <SMiller@dpw.lacounty.gov>, Cindy Wong <CIWONG@dpw.lacounty.gov>, Dayna Rothman <DROTHMAN@dpw.lacounty.gov>, Edward Lee <ELEE@dpw.lacounty.gov>, Olivia Moreno <OLMORENO@dpw.lacounty.gov>, Alexandra Nguyen-Rivera <alnguyen@dpw.lacounty.gov>

Hi Clinton,

Zone 32, Lost Hills Commercial was formed by detaching territory from a previously formed District. The previous district was County Malibu Lost Hills Landscaping and Lighting Act District No. 24. These districts and zones were formed in accordance with state law. The Landscaping and Lighting Districts Act of 1972 enabled installation and maintenance of property improvements. Qualifying improvements would benefit all property owners within a tract. Those owners are assessed for the costs of maintaining these improvements.

Zone 32 was initially managed by the County Department of Parks and Recreation. Management was subsequently transferred to Public Works. The attached Word document shows the Board of Supervisors adopted Parks and Recreation recommendations. The requirement for maintenance easement dedication is highlighted in yellow. The attached tract map has similar easement dedication requirements, also highlighted. The attached Assessor's Parcel Map shows lot number 3 referred to on the Tract Map requirements. We have no records or recordation of the actual dedication of these required easements.

We've also attached plans for existing slope engineering and drainage along Agoura Road. A final attachment is a study and recommendations for maintenance and repairs of these improvements. Geotechnical hazards exist and should be mitigated to protect Agoura Road and adjacent properties.

We previously proposed you provide easements for maintenance of drainage improvements within your property. This would allow County forces to enter, maintain and repair the existing drainage infrastructure. Such action would alleviate the property owners liability for known geologic hazards at County expense. When and if subdivision occurs, including mitigating then existing geotechnical hazards, the County would quitclaim these easements

Amir S. Ibrahim, P.E., L.S.

Principal Engineer

Los Angeles County Public Works

(626) 300-4713

From: Clinton Brown <clinton@atlasinc.solar>

Sent: Wednesday, October 26, 2022 4:43 PM

To: Amir Ibrahim <AIBRAHIM@dpw.lacounty.gov>

Cc: Heidi Liu <HLiu@counsel.lacounty.gov>; David Sharkey <DSHARKEY@dpw.lacounty.gov>; Cindy Wong <CIWONG@dpw.lacounty.gov>; Dayna Rothman <DROTHMAN@dpw.lacounty.gov>; Samantha (Sam) Miller <SMiller@dpw.lacounty.gov>; Shillane Chen <SCHEN@dpw.lacounty.gov>; Edward Lee <ELEE@dpw.lacounty.gov>; Olivia Moreno <OLMORENO@dpw.lacounty.gov>; Alexandra Nguyen-Rivera <alnguyen@dpw.lacounty.gov>

Subject: Re: Maintenance for Agoura Road Slopes - LMD Zone 32

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8 attachments



ZN 32 Lost Hills Commercial Extract.docx

1393K



TR1099-094 (TR 33128).pdf

1141K



Lot 3 Tract 33128 part of LLAP 2 Zone 32 Lost Hills.pdf

66K



Augora Hills001.PDF

1155K



Augora Hills002.PDF

2175K



Augora Hills003.PDF

1664K



Augora Hills004.PDF

247K



Hydrauger Maintenance 2018.pdf

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